

## REMARKS

The claims have been all amended as described in order to secure grant of a patent. Such amendments are made without concession of estoppel, but are made in order to secure prompt allowance and grant of claims. A continuation application will be directed to subject matter which has been omitted and/or withdrawn by this amendment. Thus, the amendments made herein are not to be considered as constituting an estoppel under Festo, particularly with respect to those claims rejected pursuant to 35 U.S.C. Section 103 in view of Uehara, U.S. Patent No. 5,358,577. In other words, it is applicants' position that the rejection under 35 U.S.C. Section 103 of claims is not appropriate and does not and should not constitute a limitation with respect to the doctrine of equivalents and with respect to any implied estoppel. To expedite the prosecution of the application and secure early grant, applicants have made the amendments. Further comments follow:

Claims 1-10 are deemed allowable in view of applicants' prior submission.

Claims 11 and 12 have been amended to delete the limitation directed to the choice of metal in the carbide. They are thus not so limited. Likewise, with respect to claims 24-31, the limitation to the metal in the carbide has been removed thus obviating the rejection pursuant to 35 U.S.C. Section 112. Likewise with respect to claims 40-42, the limitation with respect to the metal in the carbide has been removed to obviate the objection pursuant to 35 U.S.C. Section 112. Said claims are believed, therefore, to be broader in scope than originally set forth.

Claim 59 has been amended to incorporate various steps from claim 62, and claim 62 has been cancelled without prejudice. Claim 59 as originally submitted is believed to be non-

obvious in view of the prior art reference. However, in order to secure grant and allowance without prejudice and admission of estoppel, claim 59 is now presented in its amended form.

Claims 71-77 have been cancelled.

Claim 78 has been made dependent upon amended claim 59.

Claim 90 has been cancelled as have claims 91-101.

Claim 102 has been amended to set forth the inclusion of metals in the melt in order to obviate the objection pursuant to 35 U.S.C. Section 112.

Claim 104 has been amended in the manner of claim 102.

Claim 111 has been amended to provide that the molybdenum is in the form of a precipitated carbide having the formulation or composition  $M_2C$ . Thus, it is believed that claim 111 is patentable.

Claim 112 has been amended to remove the listing metals forming the carbides.

Similarly, claim 113 has been amended to remove the listing of metals in the carbides.

Claim 117 and 118 has been amended for purposes of clarification.

Claim 120 has been amended in a manner similar to prior claim amendments removing the listing of metals in the carbide making the claim broader.

Claim 124 has been amended to set forth the metals in the melt which may form a carbide in the alloy composition.

Applicants specifically reserve the right to file a continuation and/or division application directed to the subject matter of claims herein not prosecuted without estoppel or admission or limitations with respect to said claims

In view of the foregoing, it is believed that the claims in their amended form are all deemed allowable by the Examiner in amended form. Reconsideration and passage to allowance is earnestly solicited.

Respectfully submitted,

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